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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,085	07/15/2003	Justin Mortensen	LSI.74US01 (03-0840)	9264
24319	7590	08/27/2007	EXAMINER	
LSI CORPORATION 1621 BARBER LANE MS: D-106 MILPITAS, CA 95035			COLAN, GIOVANNA B	
			ART UNIT	PAPER NUMBER
			2162	
			MAIL DATE	DELIVERY MODE
			08/27/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary

Application No.

10/621,085

Applicant(s)

MORTENSEN ET AL.

Examiner

Giovanna Colan

Art Unit

2162

All participants (applicant, applicant's representative, PTO personnel):

(1) Giovanna Colan.

(3) Samuel M. Freund.

(2) Cam Y. Truong.

(4) _____.

Date of Interview: 08 August 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: 1 and 7.

Identification of prior art discussed: Ananian, Cianfrocca.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: During the interview, applicant discussed the limitation "without content change of said requested file". Examiner asked applicant to specifically point out where in the Specification of the disclosure this limitation was described. Even though applicant seemed to rely on some parts on the specification, Examiners still don't believe there is enough support to such limitation as recited in the claim.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

Applicant Initiated Interview Request Form

Application No.: 10/621,085 First Named Applicant: Justin Mortensen
Examiner: Giovanna Colan Art Unit: 2162 Status of Application: Final Rejection Mailed

Tentative Participants:

(1) Samuel M. Freund (2) Giovanna Colan
(3) _____ (4) _____

Proposed Date of Interview: 8-8-2007 Proposed Time: 11:00 (AM/PM)
EST

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO
If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>1&7</u>	<u>Yes</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

Brief Description of Arguments to be Presented:

Please see attached.

An interview was conducted on the above-identified application on _____.
NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Samuel M. Freund
Applicant/Applicant's Representative Signature

Examiner/SPE Signature

Samuel M. Freund
Typed/Printed Name of Applicant or Representative

30,459

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

clearinghouse interface program to said clearinghouse server... .", clearly identifies the request for a requested file from a user.

Applicants therefore request clarification from the Examiner as to why the amended language of claim 1 does not recite the features of claim 1 relied upon by applicants. Similar language is provided in independent claim 7, and applicants wish to discuss what language might clarify this claim as well.

2. Concerning the combination of Cianfrocca with Ananian, the Examiner stated that such combination discloses all the limitations of claims 1 and 7; however, the combination does not expressly disclose: without content change of said requested file. Therefore, the Examiner presented the Shapiro reference which discloses converting files to formats without content change of the requested file.

The Abstract of Ananian recites: "A method for generating an interactive profile of a structure, such as a building, employing an interactive profile system ... A plan set, usually in a CAD format, is received into the interactive profile system, typically submitted by the user or client. ... The plan set is converted to a profile data set by the profiling engine. ... The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical descriptions of the plan set. ... The user directs a profile query to the application engine of the interactive profile system." (Emphasis added by applicants.)

Ananian, beginning in Col. 2, line 62 and ending on Col. 3, line 8, sets forth: "To expand the received plan set into the building's profile database, the plan set is converted to a profile data set by the profiling engine. The profile data set is compliant with an enhanced data protocol, which is a specific format for organizing the profile data set in a standardized array. The profiling engine 'parses' or extracts, the profile data set to develop and link the plurality of potentially interrelated building components to develop a plurality of interrelated components. The profiling engine performs a systematic enhancement of the plan set, building upon the elemental physical description of the plan set. Each element of the physical description is functionally analyzed for relational

attributes and then expanded. Links are created within the profile data set, between related components." (Emphasis added by applicants.).

In Col. 6, lines 39-46, of Ananian it is stated: "For the present invention, the enhanced data protocol is an internally standardized profile database format that enables the plan set 50 to be expanded and utilized by the interactive profile system 10. ... The plan set is converted to the standardized data set by the profiling engine 30 of the interactive profile system." (Emphasis added by applicants.).

Thus, in these and other citations from Ananian, the user's original plan set is converted to a standardized data set, which may be very different from what was originally submitted by the user. Assuming, for the purpose of discussion, that Shapiro teaches that no changes are required in order to create a transformed target Artwork file, Ananian requires that the plan set is **converted to the standardized data set** by the profiling engine 30 of the interactive profile system. By combining Shapiro with Ananian, then, the Examiner has created a combination which cannot work; that is, Ananian requires a change to the original plan set, while the Examiner argues that Shapiro does not. Section 2145 of the Manual of Patent Examining Procedure states that: "It is improper to combine references where the references teach away from their combination."

Applicants respectfully request that the Examiner clarify why Shapiro should be and can be combined with Ananian, when the very teachings of Ananian clearly require that the user's plan set be modified to a standardized data set.

Applicant Initiated Interview Request Form/Arguments to be Presented

Applicants wish to discuss the following two issues with the Examiner in order to advance the prosecution of the subject patent application:

1. In the Response to Arguments in the Office Action dated May 14, 2007, made final, the Examiner stated in part in Section 1 that the features of claims 1 and 7 upon which applicants rely; that is, "the user is sent a requested file converted into transmittable form"; and that the claims as earlier amended require that; "the content of said files remains unaltered") are not recited in such rejected claims. Applicants wish to state that claim 1 recites in part: "... providing a second database located in a second location and further being located behind a second firewall; providing a clearinghouse server located outside of said first firewall and said second firewall, said clearinghouse server having a clearinghouse database comprising an index to at least a portion of said CAD data in said first database and at least a portion of said CAD data in said second database ... transmitting a request for a requested file from said clearinghouse interface program to said clearinghouse server; ... converting said requested file to a first transmittable format without content change of said requested file; and transmitting said requested file from said second database in said first transmittable format." (emphasis added by applicants to indicate the amendment to claim 1 from the Preliminary Amendment dated October 11, 2006). In page 5, lines 6-10, of the subject Specification, as originally filed, it is stated that: "The system of embodiment 100 may allow users from different companies to share files and information in a simple and easy manner. Each company may have its own database that is protected by a firewall. A clearinghouse server 110 may provide an index to each of the various databases and facilitate communication between the companies while allowing each company its freedom to operate independently." Applicants respectfully believe that the limitation: "the user is sent a requested file converted into transmittable form"; and "the content of said files remains unaltered" is clearly stated in claim 1 as earlier amended. The recitation of: "... transmitting a request for a requested file from said